

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY,  
INDIANA, WILL HOLD A REGULAR COUNCIL MEETING IN THE THIRD  
FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING ON  
THURSDAY, NOVEMBER 15, 2007 AT 7:30 P.M.**

The meeting of the **New Albany City Council** was called to order by President Larry Kochert at 7:30 p.m. The meeting opened with the Lords Prayer and the Pledge of Allegiance.

**MEMBERS PRESENT:** Council Members Mr. Coffey, Mr. Schmidt, Mr. Price, Mr. Gahan, Mr. Blevins, Mr. Messer, Mr. Zurschmiede and President Larry Kochert. Mrs. Crump was not present.

**OTHERS:** Council Attorney Jerry Ulrich and City Clerk Marcey Wisman.

**ALSO:** Board of Works member Matt Denison, John Rosenbarger, Scott Wood and David Hall

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mr. Coffey moved to approve the November 1<sup>st</sup> public hearing minutes, Mr. Schmidt second, all voted in favor.**

**Mr. Coffey moved to approve the regular minutes from November 1st, Mr. Schmidt second, all voted in favor.**

**APPROVAL OF CF-1 FORMS:**

**COMMUNICATIONS – PUBLIC:**

**Ted Fulmore**, President New Albany Historic Commission spoke in favor of R-07-40. He reminded the council that in 2006 Mr. Price sponsored a resolution to designate New Albany as a Preserve America Community.

**Mr. Wimp** addressed the council and again encouraged them to approve the Animal Control ordinance.

**COMMUNICATIONS – CITY OFFICIALS:**

**COMMUNICATIONS – MAYOR:**

**COMMITTEE REPORTS:**

**APPOINTMENTS:**

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS:                      READING**

R-07-38	Resolution Concerning Statements of Benefits for Lukemeier Industrial Mold & Machine Co., Inc., Db a Limmco, Inc., By the Common Council Of the City of New Albany	Crump
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**Mr. Coffey moved for the reading of R-07-38, Mr. Blevins second,**

**Mr. Messer** asked if they were bringing people in from outside to hire or will they hire from within the community.

**Mrs. Lukemeier** stated that they would hire mostly from within the community depending on who applies.

**Mr. Price** brought up the issue that they had discussed that abatements for equipment would be for 5 years instead of 10.

**Mr. Gahan** agreed and stated that at the last meeting they had decided that equipment abatements would be for 5 years.

**Mr. Coffey** asked Mr. Rosenbarger if he knew the rate of depreciation on equipment.

**Mr. Rosenbarger** stated that he did not know.

**Mr. Coffey moved to amend R-07-38 to five years, Mr. Messer second, all voted in favor.**

**Mr. Coffey moved for the reading of R-07-38 as amended, Mr. Blevins second, all voted in favor.**

R-07-40	Resolution of the Common Council of the Civil City Of New Albany, Indiana, Preserve America Matching Grant Authorization	Price
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**Mr. Price moved for the reading of R-07-40, Mr. Zurschmiede second, all voted in favor.**

A-07-30	Additional Appropriation Ordinance	Messer 1
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**Mr. Messer moved for the first reading of A-07-30, Mr. Zurschmiede second, all voted in favor.**

A-07-31	Additional Appropriation Ordinance	Blevins 1
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**Mr. Blevins asked for a suspension of the rules for all three readings of A-07-31, Mr. Coffey second, all voted in favor**

**Mr. Blevins moved for all three readings of A-07-31, Mr. Schmidt second, all voted in favor. Bill No. A-07-31 became Ordinance No. A-07-51**

G-07-16	An Ordinance Amending Ordinance Chapter 150: Garbage and Refuse	Crump 1
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**Withdrawn**

G-07-17	Ordinance to Replace New Albany Code of Ordinance Section 51.115 (D) (E) (F): Sewer Board Establishment.	Coffey 1
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**Mr. Coffey moved for the reading of G-07-17, Mr. Gahan second, all voted in favor with the exception of Mr. Zurschmiede and Mr. Kochert who voted no.**

**Mr. Zurschmiede** asked what had been changed from the bill that was in their packet and the one that Mr. Coffey presented them with tonight.

**Mr. Ulrich** stated that substantively nothing had changed, but he took out some 'whereas' and removed some redundant points.

**Mr. Coffey** stated that he has the state code that he will give to Ms. Wisman for copying that the members can pick up for review.

**Mr. Zurschmiede** stated that he doesn't understand why they would want to change the one thing that is moving in the right direction in the City.

**Mr. Gahan** stated that he feels that there should not be council members on the Sewer Board.

**Mr. Zurschmiede** stated that he doesn't necessarily disagree with removing the council members, but he does disagree with it only being a 3 member board, he disagrees with giving complete control of the board to the Mayor, and he disagrees with the interim period that could be a period of 1 day to a month where no one that can carry on the business that they have been working so hard to establish

**There was a lengthy discussion regarding the councils concerns regarding the proposed bill.**

**Mr. Kochert** cautioned the council on passing this ordinance. He stated that in the past when there was only executive control over the board and there were deals cut and people were hooking up without permits and the current board has worked very hard to correct these issues.

**Mr. Coffey** stated that he understands his concerns but they have the state statute that gives them a rule book to follow.

G-07-15      An Ordinance to Replace Chapter 91: Animals      Coffey 2&3  
In the Code of Ordinances of New Albany, Indiana

**Mr. Coffey moved for the second and third reading of G-07-15, Mr. Schmidt second, all voted in favor. Bill G-07-15 became ordinance G-07-52.**

Z-07-20      An Ordinance for the Vacation of a Public Way      Zurschmiede2&3  
Pursuant to a Petition Filed by Old Pike Storage, LLC

**Mr. Zurschmiede moved for the second reading of Z-07-20, Mr. Schmidt second, all voted in favor.**

**MISCELLANEOUS COMMUNICATIONS:** (public comments on non-agenda items)

**ADJOURN:**

**There being no further business to be heard, the meeting adjourned at 8:11 p.m.**

Larry Kochert, President  
Common Council, City of New Albany

ATTEST: \_\_\_\_\_  
Marcey J. Wisman, City Clerk